



NOTICE OF APPEAL FROM THE EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Applicants:

Todd R. Golub, Pablo Tamayo, Margaret Shipp, Eric S. Lander and Jon C. Aster

Serial No.: 09/989,758

Group: 1634

Filed: November 20, 2001

Examiner: D. Gunter

Confirmation No.: 9648

For:

DIFFUSE LARGE CELL LYMPHOMA DIAGNOSIS AND OUTCOME
PREDICTION BY EXPRESSION ANALYSIS

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:	
1-2-04	Karen Sabia
Date	Signature
KAREN SABIA	
Typed or printed name of person signing certificate	

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated September 9, 2003 of the Examiner finally rejecting claims 1-5, 8, 15-20 and 37-40. The item(s) checked below are appropriate:

1. ☒ Applicants hereby petition to extend the time for filing a Notice of Appeal in response to the Office Action Made Final dated September 9, 2003 for one month from December 9, 2003 to January 9, 2004.
2. ☐ A month extension of time to respond to the Office Action Made Final dated was filed on with payment of a \$ fee.
☐ Applicant hereby petitions for an additional month extension of time to respond to the Office Action Made Final.
3. ☐ A Request for Oral Hearing before the Board of Patent Appeals and Interferences is being filed concurrently herewith.

01/06/2004 JADD01 00000038 09989758 330.00 0P
01 FC:1401

<input checked="" type="checkbox"/>	Extension of Time for one month	\$	<u>110</u>
<input type="checkbox"/>	Additional Extension of Time:		
	Fee for Extension ([] mo.)	\$	<u> </u>
	Less fee paid ([] mo.)	- \$	<u> </u>
	Balance of fee due	\$	<u>0</u>
<input checked="" type="checkbox"/>	Notice of Appeal	\$	<u>330</u>
<input type="checkbox"/>	Other _____	\$	<u> </u>
	TOTAL	\$	440

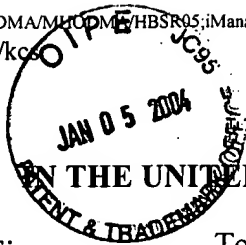
☒ A check in the amount of \$440 is enclosed.

☐ Please charge Deposit Account No. 08-0380 in the amount of \$[].

HAMILTON, BROOK, SMITH, REYNOLDS, P.C.

By Lisa M. Treannie
Lisa M. Treannie
Registration No.: 41,368
Telephone: (978) 341-0036
Facsimile: (978) 341-0136

Date: 1/2/04



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Todd R. Golub, Pablo Tamayo, Margaret Shipp, Eric S. Lander
and Jon C. Aster

Application No.: 09/989,758 Group: 1634

Filed: November 20, 2001 Examiner: D. Gunter

Confirmation No.: 9648

For: DIFFUSE LARGE CELL LYMPHOMA DIAGNOSIS AND
OUTCOME PREDICTION BY EXPRESSION ANALYSIS

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<u>1-2-04</u>	<u>Karen Sabia</u>
Date	Signature
<u>KAREN SABIA</u>	
Typed or printed name of person signing certificate	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an Amendment After Final Rejection Under 37 C.F.R. § 1.116 for filing in the above-identified application.

[] Small entity status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a Small Entity Statement previously submitted.

[] A Small Entity Statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.

The fee has been calculated as shown below:

(COL. 1)		(COL. 2)		(COL. 3)	SMALL ENTITY		OR	OTHER THAN SMALL ENTITY	
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE		RATE	ADDIT. FEE
TOTAL	16	MINUS	* 36	0	X \$ 9	\$ 0		X \$ 18	\$ 0
INDEP	2	MINUS	** 6	0	X \$ 43	\$ 0		X \$ 86	\$ 0
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+ \$ 145	\$		+ \$ 290	\$

* not fewer than 20
** not fewer than 3

TOTAL = \$ 0

TOTAL = \$ 0

Please charge Deposit Account No. 08-0380 for the following fees:

<input type="checkbox"/>	Petition for [] month Extension of Time	\$	_____
<input type="checkbox"/>	Amendment Fee	\$	_____
<input type="checkbox"/>	Other Fees:		
	_____	\$	_____
	_____	\$	_____
	TOTAL:	\$	<u>0</u>

A check is enclosed in payment of the following fees:

<input checked="" type="checkbox"/>	Petition for one month Extension of Time	\$	<u>110</u>
<input type="checkbox"/>	Amendment Fee	\$	_____
<input checked="" type="checkbox"/>	Other Fees:		
	Notice of Appeal	\$	<u>330</u>
	_____	\$	_____
	TOTAL:	\$	<u>440</u>

☒ A general authorization is hereby granted to charge Deposit Account No. 08-0380 for any fees required under 37 C.F.R. 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

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Concord, Massachusetts 01742-9133

Dated:

1/2/04